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January 27, 2006

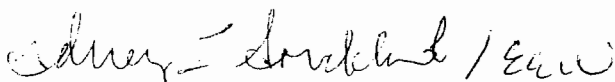
Victoria Ruston
Chief, SEA
Surface Transportation Board
1925 K Street N.W.
Washington D.C., 20423-0001

***Re: STB Docket No. AB-6 (Sub. No. 436X) BNSF Railway Company—
Abandonment Exemption – in Park County, WY***

Dear Ms. Ruston,

On January 24, 2006, we received an email from Kathleen Erwin, a Biologist with the Fish and Wildlife Service, Wyoming Field Office (Attached). Ms. Erwin also sent a letter to us dated December 9, 2005, which provided wildlife information that we included in our Environmental Report in the above captioned Docket. Her January 24th letter indicates she has additional wildlife species information. Specifically, Ms. Erwin notes she contacted Dennis Saville, a biologist with the "Cody BLM." He states there are no bald eagle roosts within one mile of the project area. He notes, however, bald eagles may travel up and down the river area. Additionally, Ms. Erwin's letter indicates there are two ospreys attempting to nest just east of the project area. Finally, Ms. Erwin's letter recommends BNSF activity should be conducted outside nesting season if possible.

Sincerely,



Sidney L. Strickland, Jr.
Sidney Strickland and Associates, PLLC


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 (liz.waite@stri

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Message

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From: Carlton Curry <carlton.curry@stricklandpllc.com>
To: 'Liz Waite' <liz.waite@stricklandpllc.com>
Subject: FW: STB Docket No. AB-6 BNSF Railway Park Co. WY
Date: 24-Jan-06 03:12 PM

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-----Original Message-----

From: Kathleen_Erwin@fws.gov [mailto:Kathleen_Erwin@fws.gov]
Sent: Tuesday, January 24, 2006 1:21 PM
To: Sidney.Strickland@stricklandpllc.com
Subject: STB Docket No. AB-6 BNSF Railway Park Co. WY

This is regarding your reports for the proposed railway abandonment in Park County Wyoming. We sent a letter to your office on December 9, 2005 (WY9947) which provided information on listed species that may occur within and near the project area. We have also contacted Dennis Saville, wildlife biologist with the Cody BLM. He states there are no bald eagle roosts within 1-mile of the project area. However, bald eagles may travel up and down the river near the area. Additionally, there is a pair of ospreys who have attempted to nest on a powerline just east of the project area. To ensure that disturbances do not occur to bald eagles or other migratory birds we recommend that you conduct the activity outside of the nesting season as recommended in our December 9 letter. If you should determine that construction is necessary during the nesting season and bald eagles may be affected, please contact our office to discuss consultation requirements.

Kathleen Erwin
 Fish and Wildlife Biologist
 USFWS-Wyoming Field Office

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